

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION

CECIL RAY NICHOLAS,)	
)	
v.)	2:08-0017
)	
MICHAEL J. ASTRUE, Commissioner of Social)	
Security.)	

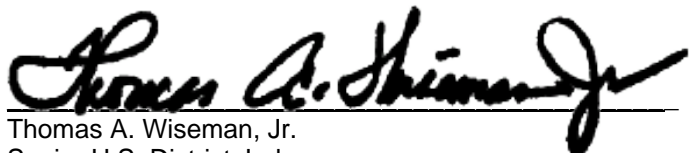
ORDER

Before the Court is the Report and Recommendation of Magistrate Judge Bryant in which he recommends Plaintiff's Motion for Judgment on the Administrative Record be granted; Defendant's motion be denied; and the Defendant's decision be reversed and the cause remanded for further administrative proceedings. No objections have been filed.

The Court has read and considered the Report and finds the same to be correct in fact and law. The Report and Recommendation is adopted by this Court.

For the reasons set forth in the Report and Recommendation, the Motion for Judgment on the Administrative Record by the Plaintiff, Document #16, is **GRANTED**; Defendant's Motion for Judgment on the Pleadings, Document #21, is **DENIED**; and the decision of the Commissioner is **REVERSED** and the cause **REMANDED** for further administrative proceedings consistent with the Report and Recommendation, to include rehearing.

It is so **ORDERED**.


Thomas A. Wiseman, Jr.
Senior U.S. District Judge